et No.: 37355-169 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

: LASCH, ELLEN, et al.

Appl. No.

10/749006

Filed

: December 30, 2003

Title : 1

: METAL-CONTAINING TRANSACTION CARD AND

METHOD OF MAKING THE

SAME

Grp./A.U.

: 2876

Examiner

: Mai, Thien T.

Customer No.

: 1923

Confirmation No.: 8389

Certificate of Mailing

I, hereby certify that this correspondence (along with any documents referred to as attached or enclosed) is being deposited with the US Postal Service as first class mail in an envelope addressed to Mail Stop AF,

Commissioner for Patents, P.O. Box 1450,

Alexandria, VA/22313-1450, on October 24, 2006

Stephen T. Scherrer, Reg. No. 45,080

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated May 24, 2006, of the Primary Examiner finally rejecting claims 1-25.

Appeal Fee: <u>\$500.00</u>

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 13-0206.

Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

10/26/2006 CHGUYEN 60000081 130206 10749006 02 FC:1401 500.00 DA including extension of time fees, to Deposit Account 13-0206 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Stephen T Scherrer Registration No. 45,080

227 West Monroe Street Chicago, IL 60606-5096

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Date: October 24, 2006

Please recognize our Customer No. 1923 as our correspondence address.